

UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION

United States of America,

Plaintiff,

VS.

Michael L. Fisher, Amiel
Schaff, Clyde Frank, and
Fisher Sand and Gravel Co., Inc.,

Defendant.

Case No. 1:08-cr-026

**AMENDED PROTECTIVE
ORDER ALLOWING LIMITED
DISCLOSURE OF RETURN AND
RETURN INFORMATION AND
GRAND JURY MATERIAL**

IT IS SO ORDERED that this Court's Protective Order Allowing Limited Disclosure of Return and Return Information and Grand Jury Material (Rec. Doc. No. 59) is hereby amended to permit Thomas Fisher to make one copy of the discovery in his possession, including the Protected Discovery, and provide that copy to Thomas Fisher's Individual Counsel. The term "Individual Counsel" as used in this amendment, means, Jonathan D. King, DLA Piper, Chicago, Illinois, and any partners, associated, paralegals and office staff of DLA Piper directly involved in the representation of Thomas Fisher in connection with this criminal case. (The "Representation"). The term "Individual Counsel" as used in this amendment, also means Attorney William J. Quinlan, Chicago, Illinois.

IT IS FURTHER ORDERED that Individual Counsel shall maintain the Protected Discovery in their sole custody.

IT IS FURTHER ORDERED that Individual Counsel is prohibited from copying, distributing and/or disseminating the Protected Discovery to any person who is not directly

involved in the Representation and for any purpose other than assisting in the Representation.

IT IS FURTHER ORDERED that Jonathan D. King and William J. Quinlan shall, within two days of the entry of this Order, file with the Court a signed acknowledgment of this Order representing that Individual Counsel agrees to be bound by the terms of this amended Order and that Individual Counsel submits to the jurisdiction of this Court with respect to any violation and enforcement of this amended Order.

IT IS FURTHER ORDERED that with respect to any discovery provided to Individual Counsel, said discovery shall be returned to the United States upon demand for destruction after the completion of the proceedings in this case. Upon demand for the return of discovery, Individual Counsel shall not retain any copies, electronic or otherwise, of any discovery.

IT IS SO ORDERED.

Dated: March 4, 2009.

Charles S. Miller, Jr.
Charles S. Miller, Jr.
United States Magistrate Judge